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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-399 PJH
)	
Plaintiff,)	GOVERNMENT'S SUPPLEMENTAL BRIEF
)	TO ADMIT EVIDENCE OF THE
v.)	DEFENDANT'S PREVIOUS
)	AGGRAVATED FELONY CONVICTION
JAIME SALCEDO-MENDOZA,)	
)	
Defendant.)	Trial Date: September 8, 2008
)	Pretrial Conf.: August 27, 2008
)	Judge: Hon. Phyllis J. Hamilton

GOV'T SUPP. BRIEF RE: AGG. FEL.
CR 08-399 PJH

1 **I. INTRODUCTION**

2 At the Pretrial Conference in this case, the Court ordered the parties to submit additional
3 briefs addressing whether the government should be able to prove the defendant's aggravated
4 felonies at trial. The defendant was deported twice, both times after sustaining an aggravated
5 felony conviction. If he does not stipulate to that fact, the Court should let the government admit
6 evidence of his previous aggravated felony conviction at trial.

7 This issue is important because the defendant's maximum penalty will increase if he was
8 deported after being convicted of an aggravated felony. *See* 18 U.S.C. § 1326. His sentencing
9 guidelines range also will increase if he was deported after being convicted of an aggravated
10 felony. *See* USSG §2L2.1(b).

11 Under the Ninth Circuit's opinion in *United States v. Salazar-Lopez*, 506 F.3d 748 (9th
12 Cir. 2007), the government would be able to prove that the defendant was convicted of an
13 aggravated felony at sentencing, not at trial. But a recent Ninth Circuit decision makes the
14 ultimate effect of *Salazar-Lopez* unclear. *See Garcia-Aguilar v. United States Dist. Court So.*
15 *Dist. Calif.*, No. 07-70293, 2008 U.S. App. LEXIS 16596 (9th Cir. August 6, 2008). In
16 *Garcia-Aguilar*, the Ninth Circuit explicitly held that "the sequence of a defendant's previous
17 conviction and removal is a fact separate from the prior conviction itself, *and must therefore be*
18 *charged in the indictment and either proven at trial or admitted.*" *Id.* at *4 (emphasis added).
19 Although the government believes that *Salazar-Lopez* is still good law and *Garcia-Aguilar* is
20 distinguishable, *Garcia-Aguilar* may overrule it, requiring the government to prove that the
21 defendant was deported after he was convicted of an aggravated felony.

22 The government is concerned that if the Court does not let the government prove the
23 defendant's aggravated felony conviction at trial, the government will be prohibited from ever
24 proving it. For example, the Court could refuse to admit evidence related to the defendant's
25 previous convictions at trial by relying on *Salazar-Lopez* and finding that they are only
26 sentencing factors. The government could then be prohibited from proving the defendant's
27 aggravated felony convictions at sentencing based on future cases applying *Garcia-Aguilar*,

1 which could hold that it effectively overruled or limited *Salazar-Lopez*, and requires the
2 government to prove to a jury the sequence of the defendant's aggravated felony conviction and
3 deportations.

4 The Court can eliminate this risk by letting the government admit evidence of the
5 defendant's aggravated felony. This will give the defendant a choice: either he can stipulate to
6 the fact that he was convicted of an aggravated felony before he was deported, or the government
7 can prove the sequence of his aggravated felony conviction and deportations to the jury. Any
8 other decision by the Court could prohibit the government from ever proving the defendant's
9 aggravated felony conviction and let the defendant avoid the increased penalties it brings. That
10 outcome would undermine Congress' intent – expressed in both Title 18 and the sentencing
11 guidelines – to punish illegal aliens who reenter the country after committing aggravated felonies
12 more severely than other illegal aliens.

13 **II. THE DEFENDANT WAS CONVICTED OF AN AGGRAVATED FELONY**
14 **BEFORE BEING DEPORTED**

15 The defendant was convicted of drug possession in violation of California Health and
16 Safety Code § 11350(a) on October 15, 1997 (Ex. A at USA-0122.)¹ He was convicted of the
17 same crime on December 17, 1997. (Ex. A at USA-0121.) He was arrested for the same crime
18 on June 9, 1998, and convicted on June 17, 1998. (Ex. A at USA-0123.) As described below,
19 the defendant's third violation of § 11350 was an aggravated felony because his first and second
20 convictions under that statute had already become final. Each of those convictions predates both
21 of his deportations, which occurred in 1999 and 2004. Therefore, as described below, he had
22 been convicted of an aggravated felony before he was deported.

23 Under 8 U.S.C. § 1101(a)(43)(B), convictions for drug trafficking crimes under 18
24 U.S.C. § 924(c) are considered aggravated felonies. Under 18 U.S.C. § 924(c)(2), a “drug
25 trafficking crime” includes any felony punishable under the Controlled Substances Act (“CSA”).

26
27 ¹Exhibit A is a copy of the defendant's rap sheet. That document was produced to
28 defense counsel on June 23, 2008.

1 The CSA defines a “felony” as “any Federal or State offense classified by applicable Federal or
2 State law as a felony.” 21 U.S.C. § 802(13). Under the CSA, a first time drug possession
3 conviction is punishable by not more than one year and is, therefore, a misdemeanor. 21 U.S.C.
4 § 844. As a misdemeanor, such an offense would not qualify as a “drug trafficking crime” under
5 § 924(c)(2). However, § 844 includes a recidivist penalty. If a person possesses drugs “after a
6 prior conviction under this subchapter . . . or a prior conviction for any drug, narcotic, or
7 chemical offense chargeable under the law of any State, has become final,” he faces up to 2 years
8 in prison. This recidivist enhancement includes a maximum punishment of over one year. A
9 second possession offense is, therefore a “drug trafficking crime” under 18 U.S.C. § 924(c)(2) if
10 a previous possession conviction had already become final, meaning that if a defendant
11 possessed drugs after being convicted of drug possession, he committed an aggravated felony.

12 The Ninth Circuit has muddled this straightforward statutory language, resulting in
13 contradictory, complex decisions. *Compare United States v. Garcia-Olmedo*, 112 F.3d 399 (9th
14 Cir. 1997) (two drug possession convictions render possession an aggravated felony) and *United*
15 *States v. Zarate-Martinez*, 113 F.3d 1194 (9th Cir. 1998) (affirming *Garcia-Olmedo*), *with*
16 *United States v. Corona-Sanchez*, 291 F.3d 1201 (9th Cir. 2002) (en banc) (construing a different
17 subsection of “aggravated felony” definition relating to theft and holding that recidivist
18 enhancements cannot be used to determine maximum penalty for state law offense), *United*
19 *States v. Arrellano-Torres*, 303 F.3d 1173 (9th Cir. 2002) (under *Corona-Sanchez*, court cannot
20 consider recidivist enhancement in § 844(a) to determine whether conviction is felony), *United*
21 *States v. Robles-Rodriguez*, 281 F.3d 900 (9th Cir. 2002) (authorized punishment under state law
22 must be more than one year for conviction to count as felony), and *United States v. Ballesteros-*
23 *Ruiz*, 319 F.3d 1101 (9th Cir. 2003) (improper to consider state law recidivist provisions; also, if
24 punishment under state law for first-time possession of drugs is less than one year, possession
25 offenses cannot count as “drug trafficking crimes” under § 924(c)). Two recent Supreme Court
26 cases have effectively overruled the recent Ninth Circuit cases limiting the definition of
27 “aggravated felony.”

28
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1 In *Lopez v. Gonzalez*, 127 S. Ct. 625 (2006), the Supreme Court found that a plain
 2 reading of the term “drug trafficking” ordinarily requires some sort of commercial dealing and,
 3 therefore, drug possession cannot be a drug trafficking crime. The Court acknowledged,
 4 however, that Congress defined some drug possession offenses as “illicit trafficking.” The Court
 5 held that state possession crimes corresponding to felony violations of the statutes enumerated in
 6 § 924(c)(2), such as recidivist possession under § 844(a) “clearly fall within the definitions used
 7 by Congress in 8 U.S.C. § 1101(a)(43)(B) and 18 U.S.C. § 924(c)(2), regardless of whether these
 8 federal possession felonies or their state counterparts constitute illicit trafficking in a controlled
 9 substance or drug trafficking as those terms are used in ordinary speech.” *Lopez* at 630 n.6.

10 Another Supreme Court case issued earlier this year, *United States v. Rodriguez*, 128
 11 S.Ct. 1783 (2008), confirms that the defendant had an aggravated felony conviction before he
 12 was deported. *Rodriguez* struck down a Ninth Circuit decision that relied on *Corona-Sanchez* to
 13 find that the definition of “serious drug offense” in the Armed Career Criminal Act should be
 14 examined only with regard to the punishment for the first offense and should not take into
 15 account recidivist enhancements. The Court rejected that view and held that the maximum term
 16 of imprisonment prescribed by law for the state drug convictions at issue was the 10-year
 17 maximum set by the applicable recidivist provision. *Rodriguez*, 128 S.Ct. at 1793.

18 These cases essentially overrule *Corona-Sanchez*’s holding that courts should not
 19 consider recidivist enhancements when determining the authorized penalty under state or federal
 20 law. Therefore, the pre-*Corona-Sanchez* cases, (*Garcia-Olmedo* and *Zarate-Martinez*) provide
 21 the proper analysis and the defendant was convicted of an aggravated felony before he was
 22 deported.

23 **III. ARGUMENT**

24 **A. Under *Salazar-Lopez*, The Government Would Not Need To Prove The** 25 **Defendant’s Aggravated Felony Conviction At Trial**

26 The defendant faces a maximum penalty of 20 years in prison and an eight level
 27 enhancement under the sentencing guidelines because he was deported after he was convicted of
 28

1 an aggravated felony. *See* 8 U.S.C. § 1326(b)(2); USSG 2L1.2(b)(1)(C). Under the Ninth
 2 Circuit’s 2007 decision in *United States v. Salazar-Lopez*, 506 F.3d 748 (9th Cir. 2007), the
 3 government would not need to prove the defendant’s aggravated felony convictions to a jury to
 4 increase the maximum penalties that he faces. Under *Salazar-Lopez*, the defendant would face
 5 the higher penalties described above if the government proved at trial *either* the date that he was
 6 removed *or* that he was removed after his aggravated felony conviction. *Id.* at 752. The
 7 government would not need to prove both. Under Ninth Circuit law, the date of a prior
 8 conviction is part of the fact of the prior conviction. *United States v. Grisel*, 488 F.3d 844, 847
 9 (9th Cir. 2007). Thus, if the Court could find that a conviction occurred, it also could find the
 10 date that it occurred. The Court could then easily determine whether it occurred before or after
 11 the date of deportation.

12 As described below, however, the Ninth Circuit’s decision earlier this month in
 13 *Garcia-Aguilar v. United States Dist. Court So. Dist. Calif.*, No. 07-70293, 2008 U.S. App.
 14 LEXIS 16596 (9th Cir. August 6, 2008), might have overruled *Salazar-Lopez* and could require
 15 the government to prove that the defendant was convicted of an aggravated felony. That case
 16 forced the government to file a superseding indictment in this case, alleging that the defendant
 17 had been removed from the country after being convicted of an aggravated felony.

18 **B. *Garcia-Aguilar* May Require The Government To Prove The Defendant’s**
 19 **Aggravated Felony Conviction At Trial**

20 *Garcia-Aguilar*’s holding and effect on this issue are not yet clear. Although the decision
 21 did not reject *Salazar-Lopez*’s holding, it emphasized that the crucial element of *Salazar-Lopez*
 22 was not the court’s reasoning, but that it ruled based on harmless error. *Garcia-Aguilar*, 2008
 23 U.S. App. LEXIS 16596 at *6-7. That emphasis, coupled with the court’s explicit statement that
 24 the government must prove “the sequence of a defendant’s previous conviction and removal,”
 25 could limit *Salazar-Lopez* to its “harmless error” analysis. *Id.* at *3-4.

26 Such a limiting of *Salazar-Lopez* would require the government to prove the sequence of
 27 the conviction and deportation. That result is probable because *Garcia-Aguilar* also stated that
 28

the *sequence* of the prior aggravated felony conviction and the prior removal “is a fact separate from the prior conviction itself” *Id.* at *4. Thus, even if the Court can find under *Salazar-Lopez*, *Almendarez-Torres v. United States*, 523 U.S. 224 (1998), and *Apprendi v. New Jersey*, 530 U.S. 466 (2000), that the defendant was convicted of an aggravated felony, and the date of the conviction, the *jury* still must find the sequence. Such a result would not contradict *Grisel’s* holding that the date of a conviction is part a fact of the conviction, because the relevant issue is the *sequence* of the previous conviction and removal, not the date of the previous conviction.

C. The Court Should Reject The Defendant’s Offer To Stipulate To A Prior “Felony” Conviction

1. Stipulating To A “Felony” Does Not Satisfy Old Chief

In *United States v. Old Chief*, 519 U.S. 172 (1997), the Supreme Court reversed a Ninth Circuit decision affirming a conviction where a defendant faced a felon in possession charge. The defendant offered to stipulate that he had been convicted of a felony. The defendant’s proposed stipulation would have supplied “evidentiary value at least equivalent to what the Government’s own evidence carried” because the government had to prove only that the defendant had been convicted of a felony. *Id.* at 186. By contrast, here, the government must prove that the defendant was convicted of an *aggravated* felony. The defendant has not offered to stipulate to an aggravated felony, as the government will prove at trial.

The distinction between aggravated felonies and non-aggravated felonies has two serious consequences. First, an aggravated felony will increase the defendant’s guidelines range by eight levels, instead of four levels for a non-aggravated felony. *Compare* USSG §2L1.2(b)(1)(C) *with* USSG §2L1.2(b)(1)(D). Second, the defendant faces a 20 year maximum sentence because he was convicted of an aggravated felony before being deported, instead of only 10 years if he had been convicted of a non-aggravated felony before he was deported. *Compare* 8 U.S.C. § 1326(b)(2) *with* 8 U.S.C. § 1326(b)(1).

Thus, the defendant’s offer to stipulate to a non-aggravated felony does not satisfy *Old Chief*.

2. The Defendant's Proposed Stipulation Is Illogical

Finally, the defendant's offer to stipulate to having a previous felony conviction, while arguing that the government need not prove facts enhancing his sentence at trial, makes no sense. If the defendant was deported after being convicted of a non-aggravated felony, that conviction would still increase his maximum sentence and sentencing guidelines range, although not as much as if he had been convicted of an aggravated felony. If he had been convicted of a non-aggravated felony, as he has offered to stipulate, he would face up to ten years in prison, while he would face only two years in prison if he had no felony convictions. *Compare* 8 U.S.C. § 1326(b)(1) *with* 8 U.S.C. § 1326(a). A previous non-aggravated felony also would increase his guidelines range by four levels, while having no prior felonies would not increase his guidelines range at all. USSG §2L1.2.

Therefore, the defendant's argument that he will stipulate to a previous felony conviction, but not an aggravated felony conviction, is frivolous unless he disputes that his previous felony convictions are aggravated felony convictions. However, he waived that argument by not raising it in his Opposition to the Government's Motion *in Limine*.

IV. CONCLUSION

If the defendant does not stipulate to the fact that he had an aggravated felony conviction before both of his deportations, the Court should permit the government to introduce evidence at trial of all three of his previous felony convictions. Prohibiting the government from relying on the defendant's aggravated felony conviction at trial might preclude the Court from relying on that conviction when sentencing him because of uncertainty surrounding the Ninth Circuit's recent decision in *United States v. Garcia-Aguilar*. Congress intended to punish aliens who illegally reenter the country after being convicted of aggravated felonies more seriously than aliens who illegally reenter the country but have a less serious criminal record. If the defendant will not stipulate that he had been convicted of an aggravated felony before being deported, and the Court does not let the government introduce evidence of his aggravated felony conviction,

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1 the Court will run the risk of ignoring the sentencing framework that Congress created through
2 criminal statutes and the sentencing guidelines.

3
4 DATED: August 29, 2008

Respectfully submitted,
JOSEPH P. RUSSONIELLO
United States Attorney

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TAREK J. HELOU
Assistant United States Attorney

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GOV'T SUPP. BRIEF RE: AGG. FEL.
CR 08-399 PJH

QUEUE TYPE: PERSONAL

QUEUE NAME: SBC4

MSG STATUS: NACK

***** TEXT OF MESSAGE ***** PAGE 01 *****
FROM NLETS ON 05/29/08 AT 12:23:30

CR.CAIIII0000

09:18 05/29/2008 30135

09:18 05/29/2008 46755 CAINSSFT1

*CQUSBC4572

TXT

HDR/2L01CQUSBC457200572

ATN/DHS/DRO RILI

THE FOLLOWING RECORD PERTAINS TO FBI/181443EB2
SID/CA11587657

RESTRICTED - DO NOT USE FOR EMPLOYMENT, LICENSING, PLACEMENT OR
CERTIFICATION PURPOSES

MESSAGE IS DISPLAYED. DEPRESS PF5(MSG INDEX) PF9(PREV SCRN) PF14(ACKD MSG)
PF16(NEXT MSG). PF19(MSG LOG) PF18=(REROUTE)

USE PF KEYS TO CONTINUE

(PF1=HELP) (PF3=MAIN MENU) (PF4=PREV MENU) (PF7=PREV PAGE) (PF8=NEXT PAGE)

QUEUE TYPE: PERSONAL QUEUE NAME: SBC4
MSG STATUS: NACK

***** TEXT OF MESSAGE ***** PAGE 02 *****

FOR CALIFORNIA AGENCIES ONLY - HAS PREVIOUS QUALIFYING
OFFENSE. COLLECT DNA IF INCARCERATED, CONFINED, OR ON
PROBATION OR PAROLE FOLLOWING ANY MISDEMEANOR OR FELONY
CONVICTION. REQUEST KITS AND INFO AT (510) 620-3300 OR
PC296.PC296@DOJ.CA.GOV.

** III MULTIPLE SOURCE

CII/A11587657

DOB/19751218 SEX/M RAC/HISPANIC

HGT/511 WGT/198 EYE/BRO HAI/BLK POB/MM

NAM/01 MENDOZA,JAIME SOUZEDA

02 MENDOZA,JAIME SOUZED

03 SALCEDO,JAIME MENDOZA

MESSAGE IS DISPLAYED. DEPRESS PF5(MSG INDEX) PF9(PREV SCRIN) PF14(ACKD MSG)
PF16(NEXT MSG). PF19(MSG LOG) PF18=(REROUTE)

USE PF KEYS TO CONTINUE

(PF1=HELP) (PF3=MAIN MENU) (PF4=PREV MENU) (PF7=PREV PAGE) (PF8=NEXT PAGE)

QUEUE TYPE: PERSONAL QUEUE NAME: SBC4
MSG STATUS: NACK

***** TEXT OF MESSAGE ***** PAGE 03 *****

04 MENDOZA, JAIME
05 SALCEDO-MENDOZA, JAIME
06 SALCEDO M, JAIME
07 ZUNIGA, RICARDO SANCHES
08 MELLADO, JULIAN
09 MALLADO, JULIAN NMN
10 MELLADO, JULLIAN
11 MELLADO, JULIAN NMN
12 ZUNIGA, RICARDO MENDOZA

MNU/FBI-181443EB2

DOB-19741218 19730403 19770820

CDL-B5561904

SOC-346471409 546471409 624462949

19960609 CASOREDWOOD CITY DOB:19751218

MESSAGE IS DISPLAYED. DEPRESS PF5(MSG INDEX) PF9(PREV SCRIN) PF14(ACKD MSG)
PF16(NEXT MSG) . PF19(MSG LOG) PF18=(REROUTE)

USE PF KEYS TO CONTINUE

(PF1=HELP) (PF3=MAIN MENU) (PF4=PREV MENU) (PF7=PREV PAGE) (PF8=NEXT PAGE)

QUEUE TYPE: PERSONAL QUEUE NAME: SBC4
MSG STATUS: NACK

***** TEXT OF MESSAGE ***** PAGE 04 *****

1043995

01:11350(A) HS-POSSESS NARC CONTROL SUBSTANCE
19960813 CAMCREDWOOD CITY
SF278125A

01:11350(A) HS-POSSESS NARC CONTROL SUBSTANCE
DISPO:PROCEEDINGS SUSPENDED/DIVERSION
DISPO:DIVERSION TERM/CRIM PROCEEDINGS REINSTAT
19971217 CASCAN MATEO

SC041846A

01:11350(A) HS-POSSESS NARC CONTROL SUBSTANCE
*DISPO:CONVICTED-PROB/JAIL
CONV STATUS:FELONY
SEN: 003 YEARS PROBATION , 045 DAYS JAIL ,
FINE , IMP SEN SS

2 pks.

MESSAGE IS DISPLAYED. DEPRESS PF5(MSG INDEX) PF9(PREV SCRIN) PF14(ACKD MSG)
PF16(NEXT MSG) . PF19(MSG LOG) PF18=(REROUTE)

USE PF KEYS TO CONTINUE

(PF1=HELP) (PF3=MAIN MENU) (PF4=PREV MENU) (PF7=PREV PAGE) (PF8=NEXT PAGE)

12:23

TECS I EXTERNAL MESSAGE DISPLAY

05292008 T2MD0611

T2PD0634

QUEUE TYPE: PERSONAL

QUEUE NAME: SBC4

MSG STATUS: NACK

***** TEXT OF MESSAGE ***** PAGE 05 *****

19970930 CASOREDWOOD CITY

DOB:19751218

1043995

01:11350(A) HS-POSSESS NARC CONTROL SUBSTANCE

19971015 CASCSAN MATEO

SC041487A

01:11350(A) HS-POSSESS NARC CONTROL SUBSTANCE

*DISPO:CONVICTED-PROB/JAIL

CONV STATUS:FELONY

SEN: 003 YEARS PROBATION , 007 MONTHS JAIL ,

FINE , IMP SEN SS

19971124 CASOREDWOOD CITY

DOB:19751218

1043995

01:CRT ORDER BOOK

11350(A) HS-POSSESS NARC CONTROL SUBSTANCE

MESSAGE IS DISPLAYED. DEPRESS PF5(MSG INDEX) PF9(PREV SCRIN) PF14(ACKD MSG)

PF16(NEXT MSG) . PF19(MSG LOG) PF18=(REROUTE)

USE PF KEYS TO CONTINUE

(PF1=HELP) (PF3=MAIN MENU) (PF4=PREV MENU) (PF7=PREV PAGE) (PF8=NEXT PAGE)

2 pgs

QUEUE TYPE: PERSONAL

QUEUE NAME: SBC4

MSG STATUS: NACK

***** TEXT OF MESSAGE ***** PAGE 06 *****

19980609 CASOREDWOOD CITY
1043995

DOB:19751218

01:11350(A) HS-POSSESS NARC CONTROL SUBSTANCE

02:529.5(C) PC-POSS DECEPTIVE GOVT ID/DRIVER LIC

19980617 CASCREDDWOOD CITY
SF292974A

01:529.5(C) PC-POSS DECEPTIVE GOVT ID/DRIVER LIC

DISPO:DISMISSED/FOJ/PLEA TO OTHER CHARGE

19980617 CASCSAN MATEO
SC042984A

01:11350(A) HS-POSSESS NARC CONTROL SUBSTANCE

*DISPO:CONVICTED-PROB/JAIL

CONV STATUS:FELONY

SEN: 003 YEARS PROBATION 001 YEARS JAIL ,

MESSAGE IS DISPLAYED. DEPRESS PF5(MSG INDEX) PF9(PREV SCRIN) PF14(ACKD MSG)
PF16(NEXT MSG) . PF19(MSG LOG) PF18=(REROUTE)

USE PF KEYS TO CONTINUE

(PF1=HELP) (PF3=MAIN MENU) (PF4=PREV MENU) (PF7=PREV PAGE) (PF8=NEXT PAGE)

QUEUE TYPE: PERSONAL QUEUE NAME: SBC4
MSG STATUS: NACK

***** TEXT OF MESSAGE ***** PAGE 07 *****
FINE , IMP SEN SS

20010823 CASOOAKLAND DOB:19730403

010BBJ377-PFN

01:40302(A) VC-FAIL PROVIDE CDL/ID:WHEN ARRESTED

20011028 CASOOAKLAND DOB:19770820

010BBJ377-010BBJ377

01:23152(A) VC-DUI ALCOHOL/DRUGS

02:2800.1(A) VC-EVADING PEACE OFFICER

03:10851(A) VC-TAKE VEH W/O OWN CONSENT/VEH THEFT

04:243(B) PC-BATTERY PEACE OFCR/EMERG PERSNL/ETC

05:243(B) PC-BATTERY PEACE OFCR/EMERG PERSNL/ETC

20011105 CAMCFREMONT

195750

MESSAGE IS DISPLAYED. DEPRESS PF5(MSG INDEX) PF9(PREV SCRIN) PF14(ACKD MSG)
PF16(NEXT MSG) . PF19(MSG LOG) PF18=(REROUTE)

USE PF KEYS TO CONTINUE

(PF1=HELP) (PF3=MAIN MENU) (PF4=PREV MENU) (PF7=PREV PAGE) (PF8=NEXT PAGE)

12:23 TECS IT EXTERNAL MESSAGE DISPLAY

05292008 T2MD0611
T2PD0634

QUEUE TYPE: PERSONAL

QUEUE NAME: SBC4

MSG STATUS: NACK

***** TEXT OF MESSAGE ***** PAGE 08 *****

01:148(A)(1) PC-OBSTRUCT/ETC PUBLIC OFFICER/ETC
DISPO:DISMISSED02:SEE COMMENT FOR CHARGE
DISPO:DISMISSED

03:243(B) PC-BATTERY PEACE OFCR/EMERG PERSNL/ETC

*DISPO:CONVICTED-PROB/JAIL
CONV STATUS:MISDEMEANOR
SEN:X3 YR PROB, 30 DS JL,

+ 1 pt

04:148(A)(1) PC-OBSTRUCT/ETC PUBLIC OFFICER/ETC

*DISPO:CONVICTED-PROB/JAIL
CONV STATUS:MISDEMEANOR
SEN:X3 YR PROB, 30 DS JL,

+ 1 pt.

20020421 CASOOAKLAND

DOB:19770820

010BBJ377-PFN

MESSAGE IS DISPLAYED. DEPRESS PF5(MSG INDEX) PF9(PREV SCRN) PF14(ACKD MSG)
PF16(NEXT MSG) . PF19(MSG LOG) PF18=(REROUTE)

USE PF KEYS TO CONTINUE

(PF1=HELP) (PF3=MAIN MENU) (PF4=PREV MENU) (PF7=PREV PAGE) (PF8=NEXT PAGE)

QUEUE TYPE: PERSONAL

QUEUE NAME: SBC4

MSG STATUS: NACK

***** TEXT OF MESSAGE ***** PAGE 09 *****

01:11350(A) HS-POSSESS NARC CONTROL SUBSTANCE

20080524 CASOREDWOOD CITY

DOB:19770820

583347-1043995

01:14610(A) (1) VC-UNLAWFUL USE/ETC:DRIVER LIC

02:12500(A) VC-DRIVE W/O LICENSE

WANTS NOT CHECKED - PLEASE CHECK NCIC WANTS

END OF RECORD

MESSAGE IS DISPLAYED. DEPRESS PF5(MSG INDEX) PF9(PREV SCRIN) PF14(ACKD MSG)
PF16(NEXT MSG). PF19(MSG LOG) PF18=(REROUTE)

END OF THIS MESSAGE

(PF1=HELP) (PF3=MAIN MENU) (PF4=PREV MENU) (PF7=PREV PAGE) (PF8=NEXT PAGE)